

FILED
HARRISBURG, PA

JUN 20 2001

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6/21/01
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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CINDY L. RIGG, :
Plaintiff : CIVIL ACTION NO.: 4:CV-01-0967
vs. : JUDGE McCLURE
COUNTY OF DAUPHIN, :
DAUPHIN COUNTY SHERIFF'S :
DEPARTMENT and : JURY TRIAL DEMANDED
RALPH McALLISTER, :
Defendants :

**MOTION FOR EXTENSION OF TIME TO
RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants, by and through their authorized counsel, Lavery, Faherty, Young & Patterson, P.C., hereby file this Motion for Extension of Time to Respond to Plaintiff's Complaint and state in support thereof as follows:

1. This matter involving claims of sexual harassment and discrimination pursuant to the Federal Constitution, and the Federal Civil

Rights Statutes was filed on May 31, 2001 and served upon the Defendant County on that date.

2. Moving Defendant, Dauphin County, has sent this matter to its insurance carrier with a tender of defense obligation. The carrier is in the process of making its coverage determination with respect to defense obligations in this matter.

3. In the meantime, undersigned counsel has entered his appearance on behalf of the Defendants at their request to file this Motion for Extension of Time to sort out the issue of defense representation in this matter with their carrier.

4. Moving Defendants are in need of a brief twenty (20) day extension of time within which to respond to Plaintiff's Complaint to resolve the above issue.

5. The requested extension is short in duration and will not in any way serve to delay adjudication of these proceedings.

6. Undersigned counsel has attempted to contact Plaintiff's counsel, Spero Lappas, Esquire, to obtain his concurrence in this extension request. However, as of the time of the filing of this motion, he had been unable to reach Mr. Lappas by telephone. As soon as he is able to do so, an

amended certificate of concurrence/nonconcurrence will be filed as required by the Local Rules.

WHEREFORE, Defendants respectfully pray that this Honorable Court grant the requested twenty (20) day extension of time to respond to Plaintiff's Complaint.

Respectfully submitted,

LAVERY, FAHERTY, YOUNG &
PATTERSON, P.C.

Date: 6/20/01

By: 

Frank J. Lavery, Jr., Esquire
Attorney I.D. 42370
P. O. Box 1245
Harrisburg, PA 17108-1245
(717) 233-6633
Attorneys for Defendants,
County of Dauphin,
Dauphin County Sheriff's
Department and
Ralph McAllister

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

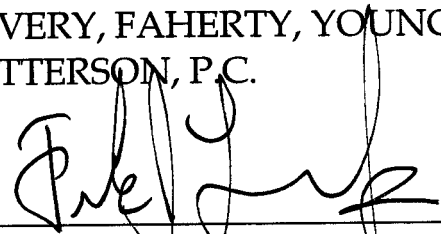
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|--------------------------|---|--------------------------------|
| CINDY L. RIGG, | : | |
| Plaintiff | : | CIVIL ACTION NO.: 4:CV-01-0967 |
| | : | |
| vs. | : | JUDGE McCLURE |
| | : | |
| COUNTY OF DAUPHIN, | : | |
| DAUPHIN COUNTY SHERIFF'S | : | |
| DEPARTMENT and | : | JURY TRIAL DEMANDED |
| RALPH McALLISTER, | : | |
| Defendants | : | |

CERTIFICATE OF CONCURRENCE/NONCONCURRENCE

I, Frank J. Lavery, Jr., Esquire, hereby certify that I am counsel for Moving Defendants in this matter and that I have attempted to contact Plaintiff's counsel, Spero Lappas, to obtain his concurrence with the extension requested in this motion. However, as of the time of the filing of this motion, I have been unable to reach him by phone. An amended certificate will be filed as soon as I speak to him.

LAVERY, FAHERTY, YOUNG &
PATTERSON, P.C.

Date: 6/20/01

By: 
Frank J. Lavery, Jr., Esquire
Attorney I.D. 42370
P. O. Box 1245
Harrisburg, PA 17108-1245
(717) 233-6633
Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Linda L. Gustin, an employee with the law firm of Lavery, Faherty, Young & Patterson, P.C., do hereby certify that on this 20th day of June, 2001, I served a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT via U.S. First Class mail, postage prepaid, addressed as follows:

Spero T. Lappas, Esquire
Law Offices of Spero T. Lappas
208 State Street
Harrisburg, PA 17101

Linda L. Gustin
Linda L. Gustin